

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

EXPERIAN INFORMATION
SOLUTIONS, INC.

v.

LEXINGTON ALLEN L.P.,
LEXINGTON ALLEN MANAGER
LLC, and
LEXINGTON REALTY TRUST

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Case No. 4:10-cv-144
(Judge Schneider/Judge Mazzant)

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On August 27, 2010, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendant Lexington Realty Trust's Motion to Dismiss Plaintiff's First Amended Complaint and Motion of Defendants Lexington Allen L.P. and Lexington Allen Manager LLC to Dismiss Plaintiff's First Amended Complaint should be denied.

The Court, having made a *de novo* review of the objections raised by Lexington Allen L.P. and Lexington Allen Manager LLC (Dkt. #42), Defendant Lexington Realty Trust's joinder to objections (Dkt. #43), response of Experian to the objections (Dkt. #44), reply to Experian's response to objections (Dkt. #45), Lexington Realty Trust's joinder to Lexington Allen L.P. and Lexington Allen Manager LLC's reply (Dkt. #48), and Experian's response to the joinder (Dkt. #47), is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections are without merit. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this Court.

It is, therefore, **ORDERED** that Defendant Lexington Realty Trust's Motion to Dismiss Plaintiff's First Amended Complaint (Dkt. #23) and Motion of Defendants Lexington Allen L.P. and Lexington Allen Manager LLC to Dismiss Plaintiff's First Amended Complaint (Dkt. #24) are DENIED.

IT IS SO ORDERED.

SIGNED this 1st day of October, 2010.

A handwritten signature in black ink, reading "Michael H. Schneider", written over a horizontal line.

MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE